

REMARKS/ARGUMENTS

Claims 26-46 are pending. By this Amendment, claims 26, 29, 32 and 37 are amended. Support for amendment to claims 26, 29, 32 and 37 can be found, for example, in the present specification at page 31, line 6 to page 32, line 9, in FIG. 7, and in previously presented claims 26, 29, 32 and 37. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication in the Office Action that claims 29-31 recite allowable subject matter.

Objection to the Claims

The Office Action objects to claims 32-34 as duplicates of claim 26-28. By this Amendment, claim 26 is amended to differentiate from claim 32 in scope.

As amended, claim 26 corresponds in scope to original claim 23 as depending from original claims 17 and 22, which was previously indicated to recite allowable subject matter, and claim 32 corresponds in scope to original claim 23 as depending from original claims 19 and 22, which was previously indicated to recite allowable subject matter.

Claims 27 and 28 depend from claim 26, and claims 33 and 34 depend from claim 32, and thus claims 27, 28, 33 and 34 are also believed to recite allowable subject matter.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 26-28 and 32-36 as indefinite under 35 U.S.C. §112, second paragraph.

By this Amendment, claims 26 and 32 are amended to obviate the rejection.

Claims 27 and 28 are rejected solely for their dependency from claim 26, and claims 33-36 are rejected solely for their dependency from claim 32.

Reconsideration and withdrawal of the rejection are respectfully requested.

Rejections Under 35 U.S.C. §103

A. Geller and Fujita

The Office Action rejects claims 37-41 and 44-46 under 35 U.S.C. §103(a) over U.S. Patent No. 3,273,877 to Geller et al. ("Geller") in view of U.S. Patent No. 6,302,487 to Fujita et al. ("Fujita"). Applicants respectfully traverse the rejection.

Claim 37 recites "[a] seat comprising: a frame; and a sheet of a cloth spring material; wherein: a front end portion of the sheet is attached along its length to a front portion of the frame; a rear end portion of the sheet is attached along its length to a rear portion of the frame; the front portion of the frame is provided so that the front portion of the frame and the front end portion of the sheet remain fixed in location when the seat is in use; the rear portion of the frame comprises a connecting portion and a torsion bar, the connecting portion being rotatable about the torsion bar; the rear end portion of the sheet is attached to the connecting portion so that the rear end portion of the sheet and the connecting portion rotate about the torsion bar against a torsional load of the torsion bar when the seat is in use; and rotation of the connecting portion about the torsion bar causes the location of the rear end portion of the sheet to change both in an up-down direction and a front-rear direction in accordance with a pushing force applied to the sheet so that a planar orientation of the sheet changes" (emphasis added). Geller and Fujita do not disclose or suggest such a seat.

The Office Action relies on Geller for its disclosure of a seat including a sheet that is attached to rear end portion of a seat frame including a torsion bar and a connecting portion.

See Office Action, page 4. Geller, in fact, discloses a seat including a "wind-up" device that winds front and rear ends of a perforated diaphragm 41 to change the firmness of a vehicle seat structure. See Geller, column 3, lines 11 to 29. Although, Geller does not explicitly disclose a torsion bar or connection portion as recited in claim 37, the Office Action asserts that the portion shown "in shadow" in FIG. 4 corresponds to a torsion bar and the tubular member 48 corresponds to a connecting portion. See Office Action, page 4. Applicants respectfully disagree.

Geller does not disclose a torsion bar at all. Instead Geller discloses rotatable shaft means 16, by which the tubular member 31 (or 48) can be rotated in a clockwise or counterclockwise direction. See Geller, column 2, lines 14 to 25. "Manual bell crank means" or a motor can be employed to rotate the tubular member 31 (or 48). One of ordinary skill in the art would not understand the rotatable means 16 of Geller to be a torsion bar.

Further, by this Amendment, claim 37 is amended to specify that rotation of the connecting portion about the torsion bar causes the location of the rear end portion of the sheet to change both in an up-down direction and a front-rear direction in accordance with a pushing force applied to the sheet so that a planar orientation of the sheet changes. In embodiments of the seat of claim 37, the connecting portion is arranged at some distance from the torsion bar. As a result, when the torsion bar rotates, the location of the rear end of the sheet changes in both the up-down direction and the front-rear direction. See, e.g., present specification, FIG. 7. It is this change in location of the rear end of the sheet that causes the change in the planar orientation of the sheet.

By contrast, in Geller, rotation of, e.g., the tubular member 48 winds the perforated diaphragm 41 around the tubular member 48, but does not change the location of the rear end of the perforated diaphragm 41 or the planar orientation of the perforated diaphragm 41 – the perforated diaphragm 41 is tightened or loosened, but the ends of the perforated diaphragm

41 remain fixed in location. Accordingly, even if the rotatable shaft means 16 was interpreted as encompassing a torsion bar, Geller still does not disclose or suggest the torsion bar-connection portion arrangement recited in claim 37.

For the reasons discussed above, Geller does not disclose or suggest each and every feature of claim 37. Fujita does not remedy the deficiencies of Geller. Fujita is cited for its alleged disclosure of a seat including a cloth spring material attached to a seat frame by various springs. *See* Office Action, pages 4 to 5. However, Fujita, like Geller, fails to disclose or suggest a seat including the torsion bar-connection portion arrangement recited in claim 37. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 37.

As explained, claim 37 would not have been rendered obvious by Geller and Fujita. Claims 38-41 and 44-46 depend from claim 37 and, thus, also would not have been rendered obvious by Geller and Fujita. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Geller, Fujita and Granger

The Office Action rejects claims 42 and 43 under 35 U.S.C. §103(a) over Geller in view of Fujita and U.S. Patent No. 199,535 to Granger ("Granger"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Geller and Fujita do not disclose or suggest each and every feature of claim 37. Granger does not remedy the deficiencies of Geller and Fujita. Granger is cited for its alleged disclosure of a seat including a plate member and a third spring member. *See* Office Action, pages 6 to 7. However, Granger, like Geller and Fujita, fails to disclose or suggest a seat including the torsion bar-connection portion arrangement

recited in claim 37. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 37.

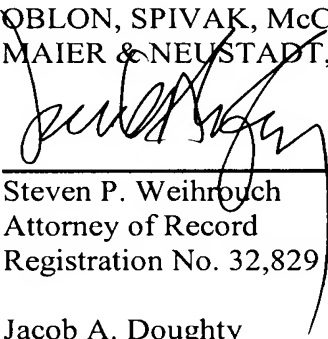
As explained, claim 37 would not have been rendered obvious by Geller, Fujita and Granger. Claims 42 and 43 depend from claim 37 and, thus, also would not have been rendered obvious by Geller, Fujita and Granger. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the foregoing reasons, Applicants submit that claims 26-46 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Jacob A. Doughty
Registration No. 46,671

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)